



730446

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/23/2021	.	
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The Committee on Criminal Justice (Book) recommended the following:

1 **Senate Substitute for Amendment (905096) (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. Subsections (2) and (3) of section 27.14,
7 Florida Statutes, are renumbered as subsections (3) and (4),
8 respectively, and subsection (2) is added to that section, to
9 read:

10 27.14 Assigning state attorneys to other circuits.—



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11 (2) A victim of a sexual battery or cyberstalking may
12 petition the Governor to disqualify a state attorney pursuant to
13 subsection (1) if sufficient evidence is presented that shows a
14 willful disregard of the evidence and repeated failure of a
15 state attorney to prosecute a particular crime.

16 Section 2. Section 154.012, Florida Statutes, is created to
17 read:

18 154.012 Sexual assault response teams; membership; duties.—

19 (1) The health department in every county in this state, or
20 its designee, shall participate in the local sexual assault
21 response team coordinated by the certified rape crisis center
22 serving the county if such a team exists. If a local sexual
23 assault response team does not exist, the certified rape crisis
24 center serving the county may coordinate with community partners
25 to establish a local or a regional team. The purpose of the
26 sexual assault response team is to ensure a coordinated
27 multidisciplinary response to sexual violence.

28 (2) Each team shall develop a written protocol to govern
29 the team's response to sexual assault that includes:

30 (a) The role and responsibilities of each team member.

31 (b) Procedural issues regarding the immediate crisis and
32 health care and law enforcement responses and follow-up services
33 provided to a victim.

34 (c) Procedures for the preservation, secure storage, and
35 destruction of evidence from a sexual assault evidence kit,
36 including length of storage, site of storage, and chain of
37 custody.

38 (d) Procedures for maintaining the confidentiality of the
39 victim regarding the forensic medical examination.



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40 (3) Membership of each team shall be determined by the
41 certified rape crisis center in collaboration with community
42 partners. At a minimum, membership should include the following
43 persons or their designees:

44 (a) The director of the local certified rape crisis center;

45 (b) A representative from the county health department;

46 (c) The state attorney;

47 (d) The chief of police;

48 (e) The county sheriff.

49 (f) Forensic sexual assault nurse examiners; and

50 (g) A representative from local hospital emergency

51 departments;

52 (4) The Florida Council Against Sexual Violence shall
53 provide technical assistance relating to the development and
54 implementation of the teams.

55 (5) Each team shall promote and support the use of
56 qualified sexual assault forensic examiners who have
57 successfully completed a minimum of 40 hours of specialized
58 training in the provision of trauma-informed medical care and in
59 the collection of evidence for sexual assault victims.

60 (6) Each team shall meet at least quarterly, or more often
61 as determined by the team's membership, to ensure a coordinated
62 multidisciplinary response to sexual violence and shall produce
63 an annual report for the jurisdictions covered by the team that
64 includes local statistics on the number of forensic medical
65 examinations performed, the number of criminal sexual assaults
66 reported to law enforcement, the number of cases referred by law
67 enforcement for prosecution, the number of criminal sexual
68 assaults prosecuted and the outcome of the prosecutions. The



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69 annual report shall be submitted to the Florida Council Against
70 Sexual Violence. The Florida Council Against Sexual Violence
71 shall publish the annual report on its website.

72 Section 3. This act shall take effect July 1, 2021.

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74 ===== T I T L E A M E N D M E N T =====

75 And the title is amended as follows:

76 Delete everything before the enacting clause
77 and insert:

78 A bill to be entitled
79 An act relating to victims of sexual offenses;
80 amending s. 27.14, F.S.; providing for a victim of
81 sexual battery or cyberstalking to petition the
82 Governor to disqualify a state attorney under limited
83 circumstances; creating s. 154.012, F.S.; requiring
84 county health departments to participate in local
85 sexual assault response teams coordinated by local
86 certified rape crisis centers, if such a team exists;
87 providing for establishment of regional sexual assault
88 response teams; providing for duties, membership,
89 meetings, technical assistance, and an annual report;
90 requiring teams to promote and support the use of
91 sexual assault forensic examiners meeting certain
92 requirements; providing an effective date.